

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claim Amendments

Claim 1 has been amended to incorporate the limitation of claim 2, as a result of which claim 2 has been cancelled, without prejudice. Claims 3, 4 and 6 have been amended in accordance with claim 1, to recite “rapidly acting coagulant”.

No new matter has been added to the application by these amendments.

Note Regarding Claim 5

The Examiner has indicated that claim 5 is now pending and rejected. (Please see the Office Action Summary page, as well as item 2 of the Office Action.) Accordingly, claim 5 is now identified as “original”, rather than “withdrawn”.

Patentability Arguments

The patentability of the present invention over the disclosure of the reference relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Rejection Under 35 U.S.C. § 103(a)

The rejection of claims 1-6 under 35 U.S.C. § 103(a) as being unpatentable over Nagata et al. is respectfully traversed.

The Examiner takes the position that Nagata et al. disclose the process of making a deep-fried bean curd of any desired shape comprising the mixing and emulsifying of soybean protein isolate, fat (soybean oil) and water into a dough material wherein a coagulant solution (e.g. calcium chloride; e.g. 1% wt.) is then added, the dough shaped, and then deep-fried. The Examiner further states that determination of particular amounts of the various dough ingredients would have been well within the purview of a skilled artisan, and it would have been obvious to one having ordinary skill in the art at

the time of the invention to have arrived at such amounts through routine experimental optimization.

Although Nagata et al. discloses that the coagulating agent must be added to the dough composition at any time prior to the molding of the kneaded dough (column 4, lines 32-34), there is no specific teaching or suggestion of the addition of a coagulant should be added after emulsification of dough, as required by Applicants' claims. The reference makes no mention of the importance of adding the coagulant after emulsification.

Further, Nagata et al. fail to teach or suggest the addition of a rapidly acting coagulant with the above-mentioned timing. As seen from Comparative Example 1 in the present specification, when a slowly acting coagulant is used before emulsification, the product does not satisfy the acceptable range of size because of poor extensibility.

Even if Nagata et al. is combined with the Japanese references (Mother Earth News or JP 2-100647), they do not teach or suggest the use of a rapidly acting coagulant with a specific timing, as required by Applicants' claims.

For these reasons, the invention of claims 1-6 is clearly patentable over Nagata et al.

Conclusion

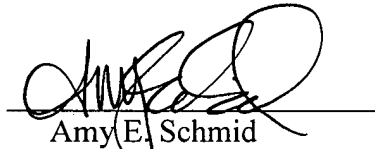
Therefore, in view of the foregoing amendments and remarks, it is submitted that the ground of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Jiro KANAMORI et al.

By:



Amy E. Schmid
Registration No. 55,965
Attorney for Applicants

AES/nrj
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
February 15, 2008